

REMARKS

Status Summary

In this amendment, no claims are added, and no claims are canceled. Therefore, claims 1-10, 48-57, and 79-88 remain pending.

Examiner Interview Summary

Applicants greatly appreciate the in-person Examiner Interview granted them by Examiners Lee and Pezzlo on August 16, 2004. In the Interview, independent claims 1 and 48, which recite an STP that performs MTP3 routing, global title translation, and SS7-to-IP conversion for user part messages were discussed. Claims 83 and 86 were also discussed. In particular, Applicants indicated that claims 83 and 86 recite an STP with a distributed routing architecture where a message transfer part level 3 routing function is present on the module that performs IP-to-SS7 conversion for inbound messages. This feature is particularly advantageous in light of the speed that IP messages can arrive over an IP link. Applicants also discussed their evidence of commercial success and the nexus between the commercial success and the claimed invention. In light of the Examiner Interview, the claim amendments, and the remarks below, Applicants respectfully submit that the application should now be in condition for allowance.

Claim Rejections 35 U.S.C. § 103

Claims 1-3, 48-50, 52-57, and 79-88 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,923,659 to Curry (hereinafter, "Curry"). This rejection is respectfully traversed.

Independent claims 1 and 48 have been amended to include a method and an SS7 user part message communicator for encapsulating received SS7 user part messages in Internet protocol (IP) packets at a signal transfer point configured to perform SS7 message transfer part layer 3 routing and global title translation. (Emphasis added.) In other words, claims 1 and 48 combine SS7 to IP conversion functionality with that of a fully functionally STP that performs message transfer part layer 3 routing and global title translation. Support for the amendment to claims 1 and 48 is found, for example, in Figure 21 of the present specification.

There is absolutely no teaching or suggestion in Curry of performing SS7 to IP conversion functionality at a fully functional signal transfer point that performs SS7 message transfer part layer 3 routing and global title translation. Figure 9 and column 17 and 18 of Curry illustrate the structure of the STP of Curry. In Figure 9, the structure includes interface modules **81**, packet switch fabric **83**, administrative module **85**, and a user interface **95**. There is absolutely no teaching or suggestion that the STP includes IP links or global title translation functionality. The only function performed by the STP illustrated in Figure 9 is message routing. For example, Curry states:

The packet switch fabric provides the actual routing of packets coming in from one link through one of the interface modules **83** back out through one of the interface modules **81** to another data link. (See column 18, lines 9-12 of Curry.)

Thus, Curry discloses a reduced functionality STP that does not include global title translation capabilities. Thus, even assuming for the sake of argument that it would be obvious to combine the STP of Curry with server Internet module 130 of Curry, that combination would fail to teach or suggest all of the elements of the invention as now claimed. In addition, if GTT were added to the STP of Curry, the processing load caused by GTT is another reason, in addition to those stated in Applicants' response to the previous Official Action, that it would not be obvious to combine the STP and server internet module of Curry. Accordingly, for these reasons, it is respectfully submitted that the rejection of claims 1-3, 5-10, 48-50, 52-57, and 79-82 as unpatentable over Curry should be withdrawn.

With regard to dependent claims 8 and 55, the Official Action states:

The connection between STP 118 and STP 148 can be thought of as equivalent to a C-link if the STPs are a mated pair. (See paragraph 8 of Official Action.)

Applicants respectfully disagree that Figure 12 of Curry renders claims 8 and 55 obvious because STPs 118 and 148 are not two STPs of a mated pair. Curry expressly discloses that STP 118 is located in one network and STP 148 is located in another network in a different country. (See column 10, lines 60-64 of Curry.) STPs of a mated pair are identically provisioned and share a capability point code. There is absolutely no teaching or suggestion in Curry that STPs 118 and 148 comprise a mated pair. Accordingly, for this additional reason, the rejection of claims 8 and 55 should be withdrawn.

Claims 83 and 86 have been re-written in independent form to include all of the elements of previously presented claims 1 and 48, respectively. In addition, these claims have been amended to recite that both the SS7 link interface module and the data communications module include an SS7 message handling routing function for routing SS7 signaling messages to module in the first STP associated with outbound signaling links for the SS7 signaling messages and that the data communications module performs IP-to-SS7 conversion. Support for these claim amendments is found, for example, in Figure 22 of the present application. In Figure 22, HMRT function **2204A** on link interface module **2113A** routes incoming SS7 user part messages to DCM **2114** for outbound transmission. Similarly, DCM **2114** includes HMRT function **2204C** for routing incoming SS7 user part messages to one of LIMs **2113A** and **2113B**. Providing such distributed routing functionality where each card, including the card that converts inbound IP messages to SS7, increases the throughput of the STP. Providing SS7 message routing functionality on the IP card is especially advantageous since IP-encapsulated SS7 messages arrive at high speeds relative to SS7 link speeds and are quickly and efficiently routed to modules associated with outbound signaling links.

There is absolutely no teaching or suggestion in Curry of a signal transfer point with a distributed internal routing architecture, not to mention a distributed routing architecture where the module that performs IP-to-SS7 conversion includes SS7 message routing functionality. According to the STP architecture illustrated in Figure 9 of Curry, SS7 message routing is performed by switch fabric **83**. (See column 18, lines 9-12 of Curry.) Thus, even assuming for the sake of argument that it would be obvious to combine Internet modules **138** or **140** with STPs **118** or **148**, such combination would

not yield an invention in which SS7 message routing functionality is distributed and present on the card or module that performs the IP-to-SS7 conversion. Thus, for this reason, it is respectfully submitted that the rejection of claims 83 and 86 and their respective dependent claims should be withdrawn.

Claims 4 and 51 were rejected under 35 U.S.C. § 103(a) as unpatentable over Curry in view of U.S. Patent No. 5,173,897 to Schrodi et al. (hereinafter, "Schrodi"). This rejection is respectfully traversed.

As stated above, independent claims 1 and 48 have been amended to recite that the STP that performs the SS7-to-IP conversion functionality is a fully functional STP that includes MTP level 3 routing functionality and SS7 global title translation functionality. This combination is not taught or suggested by Curry. Schrodi likewise fails to teach this invention. Schrodi is directed to an ATM switch is not even relevant to STPs. Thus, for this reason alone, it is respectfully submitted that the rejection of the claims as unpatentable over Schrodi should be withdrawn.

In addition, the fact that Schrodi teaches allocating sequence numbers to ATM cells fails to teach or suggest adding application level sequence numbers as claimed in claims 4 and 51. As stated in Applicants' response to the previous Official Action, ATM is a physical layer protocol. What happens is the physical layer protocol is distinct from what happens at the application layer protocol. The additional processing required for application-level sequence numbering would greatly increase the processing load on the STP of Curry, especially since the processing architecture of STP 118 is centralized. Thus, Applicants respectfully submit that it would not be obvious in view of Curry and Schrodi to provide an STP that adds application level sequence numbers to IP-

encapsulated SS7 messages. Thus, for these reasons, it is respectfully submitted that the rejection of claims 4 and 51 as unpatentable over Curry in view of Schrodi should be withdrawn.

Commercial Success of the Claimed Invention

The Official Action correctly notes that Ex Parte Remark 1990 W.L. 35412 (Bd. Pat. App. & Interf.) distinguishes Demaco Corp. v. F. Vaughan Langsdorf Licensing Ltd., 851 F.2d 1387 (Fed. Cir. 1988) cited in Applicants' response to the previous Official Action with regard to whether the burden should shift from the patent Applicant to the Examiner in proving whether a nexus exists between the evidence of commercial success and the claimed invention. Nonetheless, as will be described in detail below, Applicants' evidence of commercial success and nexus presented herein and in response to the previous Official Action far exceeds that presented in Ex Parte Remark and in Court of Appeals for the Federal Circuit opinions that discount the evidence of commercial success. Applicants also note that Ex Parte Remark is a Board of Patent Appeals and Interferences opinion. Therefore, to the extent it conflicts with any Court of Appeals for the Federal Circuit opinion, the opinion of the Court of Appeals for the Federal Circuit controls.

In Ex Parte Remark, the technology at issue was a security seal. The evidence of commercial success presented was the Diderichsen Declaration. The Board of Patent Appeals and Interferences found the Diderichsen Declaration insufficient because:

[The Diderichsen Declaration] fails to establish that the article sold (identified in the Diderichsen Declaration as the “flexible security seal”) is embodied in the invention claimed in any of the appealed claims before us. In paragraph one of the Diderichsen Declaration, the Declarant merely states that Appellant is the “above Applicant for patent on a new invention entitled ‘Engagement Lock DD’. The Declarant does not go on to state that this “new invention” is the one disclosed or presented and claimed in the subject application.” (See In re Remark, 1990 WL at 354560.)

From this passage, the Board in Ex Parte Remark found insufficient evidence of nexus between commercial success and the claimed invention because the Diderichsen Declaration failed to establish that the invention being claimed was the same invention that was the subject of the commercial success.

In contrast, Applicants have provided detailed evidence that the IP7 Secure Gateway and IP7 Edge products that were the subject of the commercial success embodied the claimed invention. In particular, Applicants presented printouts from the Assignee's website indicating the various features of these products that were sold to customers. In addition, Applicants presented the Declaration of Venkataramaiah Ravishankar indicating that the products sold were the IP7 Secure Gateway and Edge products.

With regard to the new amendments presented herein that the STP includes MTP level 3 message routing functionality and global title translation functionality (claims 1 and 48) and distributed SS7 message routing functionality, including SS7 message routing functionality on the IP card (claims 83 and 86), Applicants direct the Examiner's attention the following excerpts from Exhibit C of Applicants' response to the previous Official Action. Exhibit C is a web page printout entitled, “IP7 Frequently Asked Questions” from the Assignee's website. The date of the web page is June 11,

2000. The web page describes the IP7 Secure Gateway product. With regard to whether the IP7 Secure Gateway performs MTP routing and global title translation, the web page states:

The IP7 Secure Gateway can also operate as a fully functional STP including global title translations, gateway screening, and integration local number portability (LNP).

Since it is understood that a fully functional STP performs MTP level 3 message routing and that the IP7 Secure Gateway is a fully functional STP, the IP7 Secure Gateway performed MTP level 3 message routing. In addition, since the passage indicates that the IP7 Secure Gateway performs global title translation, it is respectfully submitted that the currently pending claims that recite that the STP performs MTP level 3 routing and global title translation relate to the same invention for which commercial success has been demonstrated.

With regard to the claims that relate to a distributed internal processing architecture with MTP message routing and IP-to-SS7 conversion on the same card, the following passage from the IP7 Frequently Asked Questions web page establishes that the IP7 Secure Gateway included this functionality:

Each application processor contains all data and translation information required to route to the SS7 and IP network. Application processors are available for 56K SS7 links, high-speed SS7 links, X.25, databases such as local number portability, and an IP network interface. The IP network interface cards are called data communications modules (DCM).

From this passage, each application processor performs an SS7 message routing function. In addition, one of the application processors, referred to as the DCM,

provided the IP network interface. Thus, the pending claims that relate to the distributed internal processing architecture are also the same invention for which evidence of commercial success has been presented. Based on the foregoing, it is respectfully submitted that unlike the applicant in In re Remark, Applicants have provided evidence that the currently pending correspond to the product that was commercially successful.

As additional evidence of nexus between the commercial success and the invention, Applicants presented the article entitled "Orange Leaps into IP" that indicated that a telecommunications service provider selected the SS7 IP Gateway instead of a conventional STP. The article describes reasons for the selection of the IP7 Secure Gateway as a paradigm jump in technology, a more flexible use of bandwidth, and a new value added service, such as high speed data. Applicants also presented evidence that the sales relied upon as evidence of commercial success occurred in the normal manner through RFIs and RFQs, rather than through excessive advertising. In the Official Action, the Examiner indicated that the article entitled "Orange Leaps into IP" fails to establish the requisite nexus. In particular, the Official Action indicates:

Applicant argues that because Orange requested information on a new STP, Orange initiated contact with Tekelec, so Tekelec did not use extensive advertising to sell the product. Assuming that extensive advertising was not used, there is still other factors (some of which are listed in Ex Parte Remark) that could have effected sales of the product. Aside from advertising, the sales could have resulted from "price concessions to get the product moving or purchases by an affiliate or controlled company." Ex Parte Remark. Also, at the time of the sale, the hype surrounding the Internet was at a peak, and many companies were able to capitalize on the Internets popularity. Thus, as mentioned previously, without further economic evidence, it would be improper to infer that the reported sales were anything out of the ordinary for the industry. Because Orange could have chosen to use Tekelecs for a host of reasons, the Examiner can not infer that Orange chose Tekelec solely

for the products functional characteristics, which may or may not be patentable. (Emphasis added.) (See paragraph 24 of the Official Action.)

Applicants respectfully submit that the interpretation that the functional characteristics of the invention be the sole factor that resulted in a sale of a product is inconsistent with Federal Circuit precedent. Such an interpretation would require that a patent applicant perform the impossible task of proving the negative, i.e., that there is no possible other factor that contributed to the sales of Tekelec's IP7 equipment. In In re GPAC, 57 F.3d 1573 (Fed. Cir. 1995), the Federal Circuit sets forth the requirements for demonstrating a prima facie case of nexus during patent prosecution and how the applicant's evidence of commercial success should be viewed by the examiner in light of the evidence of nexus presented. In In re GPAC, the Federal Circuit states:

"A prima facie case of nexus is generally made out when the Patentee shows both that there is commercial success, and that the thing (product or method) that is commercially successful is the invention disclosed and claimed in the patent." (See In re GPAC, 57 F.3d 1573, 1580 (Fed. Cir. 1995) (Quoting Demaco Corp. v. F. Vaughan Langsdorf Licensing Ltd., 851 F.2d 1387, 1392, 7 U.S.P.Q.2d 1222, 1226 (Fed. Cir.) cert. denied, 488 U.S. 956, 109 S.Ct. 395, 102 L.Ed. 2d 383 (1988)).

Because Applicants have demonstrated that the product that was the subject of the commercial success is the claimed invention, Applicants respectfully submit that a prima facie case of nexus has been made under In re GPAC. In addition, Applicants respectfully submit that because In re GPAC is a Federal Circuit Opinion, it controls in any issue where it conflicts with the opinion of the Board of Patent Appeals and Interferences in Ex Parte Remark. In addition, Applicants note that In re GPAC extends portions of Demaco to apply to patent prosecution.

With regard to how evidence of commercial success should be viewed in light of the evidence of nexus presented, the Federal Circuit in In re GPAC states:

To the extent that the patentee demonstrates the required nexus, his objective evidence of non-obviousness will be accorded more or less weight. (See id.)

In other words, the extent to which a nexus is demonstrated controls the weighting given to the commercial success as evidence of nonobviousness on a sliding scale basis. Requiring that the sale of a product be solely based on the product's functional characteristics in order for evidence of commercial success to be considered is improper under the test enumerated in In re GPAC. Accordingly, based on the evidence of nexus discussed above and the additional evidence discussed below, Applicants respectfully submit that their evidence of commercial success should be given substantial weight.

To summarize, Applicants' previously-presented evidence of the nexus includes the IP7 product literature, the Declaration of Venkataramaiah Ravishankar, and the article entitled "Orange Leaps into IP." The first two pieces of evidence demonstrate that the product that was the subject of the commercial success corresponds to the claimed invention. In addition, the Declaration of Venkataramaiah Ravishankar indicates that the IP7 products were sold in the normal manner via RFPs and RFQs, discounting any evidence of excessive advertising. The article entitled "Orange Leaps into IP" indicates that Orange initially requested information regarding STPs and then decided to replace the whole lot with an IP solution. The fact that Orange decided to completely overhaul their network with an IP solution indicates that Orange chose the

IP7 products because of their capability of providing SS7 over IP in an STP. With regard to the purchase of the IP7 Secure Gateways, the article states:

The IP7 Secure Gateways will route and control the network. "It does all the global title translation that you would normally use an STP for," Colbeck said. "The solution Tekelec is offering Orange fits just perfectly because it reduces any bottleneck within the SS7 network," said Paul Langmeyer, an industry analysis for RHK. "The packet solution provides the statistical gain and dynamic ability to provide throughput that allows you to reduce the congestion if you have a lot of activity within your SS7 network." The need to grow its STPs and make better use of existing bandwidth were key drivers in Orange's decision to deploy an IP/SS7 solution, Colbeck said. (Emphasis added.) (See page 2 of Orange article.)

This passage from the article indicates that Orange purchased the IP7 Secure Gateway and Edge products to provide IP functionality at an STP, which makes better use of existing bandwidth. The passage also indicates that GTT was also one of the desired functions. Thus, because the ability to provide IP links at a fully functional STP was one of the main factors cited in the article for Orange's purchase of Tekelec's equipment, Applicants respectfully submit that a strong nexus has been established.

Additional Evidence of Commercial Success and Nexus Between Commercial Success and the Claimed Invention

As additional evidence of commercial success and nexus between commercial success and the claimed invention, Applicants have attached the following:

1. Declaration of Neil Tomlinson pursuant to 37 C.F.R. § 1.132;
2. Spreadsheet indicating relative sales of Tekelec's IP signaling links and Tekelec's SS7 signaling links; and

3. Declaration of Peter J. Marsico pursuant to 37 C.F.R. § 1.132.

The Declaration of Neil Tomlinson discusses Tekelec's sale of the IP7 equipment to Orange Personal Communications referenced in the article described above entitled "Orange Leaps into IP." In paragraph 9 of the Declaration, Mr. Tomlinson indicates that he believes that Orange purchased the IP7 Secure Gateway and Edge products instead of conventional STPs because providing IP links at the STP increases scalability and reduces operating expense over TDM links. Mr. Tomlinson's Declaration also confirms that Orange originally requested STPs with SS7 links only and bought IP7 Secure Gateways instead. Thus, it is respectfully submitted that Mr. Tomlinson's Declaration is additional evidence of a strong nexus between the product's functionality, i.e., providing IP signaling links at an STP, and the commercial success of the claimed invention.

Item 2 is a spreadsheet and an associated graph showing the percentage of IP links versus total links per year sold by Tekelec since 2000. This data was generated by an employee of Tekelec's commercial marketing group based on Tekelec products in the field and is believed to be accurate. In the data, an IP link is counted as 25 equivalent SS7 links based on assumptions regarding average message sizes on a link. This number is used internally by Tekelec and was not calculated for purposes of this response. From the graph, IP links have increased from 0% of annual links sold to more than 20% in less than five years. Applicants respectfully submit that the reasons for this dramatic increase in IP links are the same as those discussed above in the Tomlinson Declaration – IP links provide increased scalability and lower maintenance costs. In light of this data, Applicants respectfully submit that this is additional evidence

that the claimed invention is commercially successful and that the commercial success is related to providing IP links in an STP.

Although Applicants unable to discount every possible factor suggested by the Examiner that could have contributed to the sales of Applicants' IP7 equipment, Applicants can provide evidence that discounts some of these factors. In particular, one of the factors mentioned in the Official Action was whether the sales were to an affiliate company. In the attached Declaration of Peter J. Marsico, Associate Vice President of Patent Engineering for Tekelec, it is indicated that none of the companies referenced in the email indicating commercial success filed with Applicants' Amendment of June 7, 2003 is an affiliate or a subsidiary of Tekelec.

Another factor referenced in Ex Parte Remark is whether or not a patentee has discontinued support of a prior art product to promote sales of a new product. Applicants respectfully submit that Tekelec continues to market the Eagle® STP both with and without IP signaling links. For support of this position, the Examiner is directed to the Assignee's website, www.tekelec.com, where both of these products are currently marketed.

Finally, with regard to the factor from Ex Parte Remark referenced in the Official Action that indicates that the commercial success could have been due to price concessions, the Declaration of Neil Tomlinson indicates that Orange was not offered any price concessions to purchase Tekelec's IP7 Secure Gateway and Edge products over Tekelec's SS7-only STP products. Orange was offered a discount as part of the total contract price. However, such practices are common in the telecommunications industry when dealing with new customers. According, Applicants respectfully submit

that the fact that Orange Personal Communications Services chose the IP enabled products over the STP products was not due to price concessions.

Thus, even if Applicants are required to prove that certain factors were not reasons for the commercial success of the claimed invention, Applicants submit that the evidence of record supports commercial success and a strong nexus between the claimed invention and the commercial success. Thus, the commercial success should be given substantial weight in overcoming the obviousness rejections. Accordingly, it is respectfully submitted that the rejection of the claims as obvious based on Curry and based on Curry in view of Schrodi should be withdrawn for this additional reason.

Unacknowledged Information Disclosure Statement

Applicants filed an Information Disclosure Statement on January 30, 2004 and have not received acknowledgement from the Examiner that this Information Disclosure Statement has been considered. For the Examiner's convenience, a copy of this Information Disclosure Statement and the unacknowledged PTO form PTO/SB/08A is attached hereto. Applicants will also be glad to provide an additional copy of the cited reference at the Examiner's request. Acknowledgement of the Examiner's consideration of the document cited in this Information Disclosure Statement is respectfully requested.

CONCLUSION

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully

requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

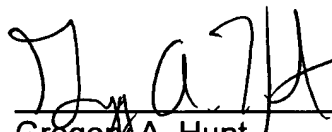
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: August 17, 2004

By:



Gregory A. Hunt
Registration No. 41,085

Customer No.: 25297

1322/8 GAH/sed

Enclosures:

- Exhibit A: Declaration of Neil Tomlinson pursuant to 37 C.F.R. § 1.132
- Exhibit B: Spreadsheet indicating relative sales of Tekelec's IP signaling links and Tekelec's SS7 signaling links
- Exhibit C: Declaration of Peter J. Marsico pursuant to 37 C.F.R. § 1.132

COPY



The U.S. Patent and Trademark
Office date stamp sets forth the
date of receipt of:

Attorney: GAH/sed
Docket No.: 1322/8
Serial No.: 09/443,712
Applicant: Sprague et al.

Title: METHODS AND SYSTEMS FOR COMMUNICATING SIGNALING SYSTEM 7 (SS7)
USER PART MESSAGES AMONG SS7 SIGNALING POINTS (SPs) AND INTERNET
PROTOCOL (IP) NODES USING SIGNAL TRANSFER POINTS (STPs)

The following items mailed to the U.S. Patent and Trademark Office on the date indicated
below:

1. Transmittal Letter;
2. Supplemental Information Disclosure Statement (3 pages);
3. Form PTO/SB/08A in duplicate;
4. Copy of one (1) cited reference; and
5. Return-receipt postcard to be returned to us with the U.S. Patent and Trademark
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Date Transmitted: January 30, 2004

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Docket No.: 1322/8
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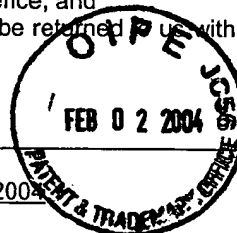
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JENKINS
WILSON
& TAYLOR

patent attorneys



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January 30, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 30, 2004

Shayla E. Dunn
Shayla E. Dunn
Date of Signature 1/30/04

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 09/443,712 for METHODS AND SYSTEMS FOR COMMUNICATING SIGNALING SYSTEM 7 (SS7) USER PART MESSAGES AMONG SS7 SIGNALING POINTS (SPs) AND INTERNET PROTOCOL (IP) NODES USING SIGNAL TRANSFER POINTS (STPs)
Our File No. 1322/8

Sir:

Please find enclosed in connection with the subject U.S. patent application the following documents:

1. Supplemental Information Disclosure Statement (3 pages)
2. Form PTO/SB/08A in duplicate;
3. Copy of one (1) cited reference; and
4. A return-receipt postcard to be returned to us with the U.S. Patent and Trademark Office filing stamp thereon.

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The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Gregory A. Hunt
Gregory A. Hunt
Registration No. 41,085
Customer No.: 25297

GAH/sed

Enclosures

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 30, 2004

Shaylor E. Dunn
Date of Signature

1/30/04



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sprague et al.

Group Art Unit: 2697

Serial No.: 09/443,712

Examiner: Lee, T. L.

Filed: November 19, 1999

Docket No.: 1322/8

Confirmation No.: 7620

For: METHODS AND SYSTEMS FOR COMMUNICATING SIGNALING SYSTEM 7 (SS7) USER PART MESSAGES AMONG SS7 SIGNALING POINTS (SPs) AND INTERNET PROTOCOL (IP) NODES USING SIGNAL TRANSFER POINTS (STPs)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AUG 24 2004

Sir:

Technology Center 2600

In accordance with 37 C.F.R. 1.56, 1.97, and 1.98, applicants' undersigned attorney brings to the attention of the Patent and Trademark Office the document listed on the attached form PTO/SB/08A. A copy of the reference as well as Form PTO/SB/08A is attached hereto. This is not to be construed as a representation that a search has been made or that a reference is relevant merely because cited.

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action on the merits, but before the mailing of a Final Action or the Notice of Allowance. Accordingly:

☒ [XX] No \$180 fee under 37 C.F.R. Section 1.17(p) is due as the undersigned hereby certifies:

- ☐ that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- ☒ that to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. Section 1.56(c) more than three months prior to the filing of this statement.
- ☐ The undersigned is unable to so certify, because submission of the present Information Disclosure Statement is after receipt by applicant of an Official Action on the merits, and thus the Commissioner is hereby authorized to charge the fee of \$180.00 to Deposit Account No. 50-0426 under 37 C.F.R. Section 1.17(p).

In addition, the sentence beginning on line 14 of page of the Supplemental Information Disclosure Statement filed on November 19, 2003, should read as follows:

Thus, based on the status reports listed above, Applicants were working on implementation details for providing SS7 over IP functionality in their STP at least as early as June 15, 1998.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08A and PTO/SB/08B with initials or other appropriate marks. Early passage of the subject application to issue is earnestly solicited.

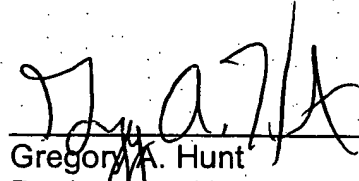
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Date: January 30, 2004

By:



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Registration No. 41,085
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1322/8 GAH/sed

Enclosures



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449-A TO

Complete if Known

(Use as many sheets as necessary)

Sheet	1	of	1
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Application Number	09/443,712
Filing Date	11/19/1999
First Named Inventor	David M. Sprague
Art Unit	2697
Examiner Name	Lee, T. L.
Attorney Docket Number	1322/8

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